

# Senate Study Bill 3049 - Introduced

SENATE/HOUSE FILE \_\_\_\_\_  
BY (PROPOSED DEPARTMENT OF  
TRANSPORTATION BILL)

## A BILL FOR

1 An Act relating to airport registration and site approval by  
2 the department of transportation.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 328.19, subsection 1, Code 2022, is  
2 amended to read as follows:

3 ~~1.~~ The department shall promulgate rules pursuant to  
4 ~~the provisions of~~ chapter 17A governing the issuance by the  
5 department of certificates of registration to all airports  
6 in this state which are open for use by the public and  
7 governing the annual renewal of those certificates. These  
8 rules shall require that an airport applying for a certificate  
9 of registration or for a renewal shall comply with minimum  
10 standards of safety as promulgated by the department,  
11 ~~adopt safe air traffic patterns, and demonstrate that such~~  
12 ~~air traffic patterns are safely coordinated with those of~~  
13 ~~all existing airports and approved airport sites in its~~  
14 ~~vicinity before the certificates~~ certificate of registration  
15 or certificate of renewal may be issued. Certificates of  
16 registration or renewal may be issued subject to any conditions  
17 the department deems necessary to carry out the purposes of  
18 this section. The department may, after notice and opportunity  
19 for hearing as provided in chapter 17A, revoke any certificate  
20 of registration or renewal, or may refuse to issue a renewal,  
21 when ~~it~~ the department determines that any of the following  
22 have occurred:

23 ~~a. 1. That there~~ The airport has been an abandonment of the  
24 ~~airport as such;~~ abandoned.

25 ~~b. 2. That there has been a failure to comply~~ The  
26 airport is no longer in compliance with the conditions of the  
27 registration or renewal ~~thereof;~~ or.

28 ~~c. 3. That because of~~ A change of in physical or legal  
29 conditions or circumstances ~~the airport~~ has ~~become~~ made the  
30 airport either unsafe or unusable for the aeronautical purposes  
31 for which the registration or renewal was issued.

32 Sec. 2. Section 328.19, subsections 2, 3, 4, and 5, Code  
33 2022, are amended by striking the subsections.

34 EXPLANATION

35 The inclusion of this explanation does not constitute agreement with

1           the explanation's substance by the members of the general assembly.

2       Under current law, the department of transportation (DOT) is  
3 required to promulgate rules regarding the issuance and renewal  
4 of certificates of registration to airports which are open for  
5 public use. The rules must require that an airport applying  
6 for a certificate of registration or for a renewal must comply  
7 with minimum standards of safety as promulgated by the DOT,  
8 adopt safe air traffic patterns, and demonstrate that such  
9 air traffic patterns are safely coordinated with those of all  
10 existing airports and approved airport sites in its vicinity.

11       This bill strikes the requirement that the DOT's rules  
12 ensure the airport adopts safe air traffic patterns and  
13 demonstrates that such air traffic patterns are safely  
14 coordinated, as those matters are currently handled by the  
15 federal aviation administration.

16       The bill also strikes the following: the requirement that  
17 the DOT promulgate rules governing the issuance of certificates  
18 of airport site approval, which under current law provide that  
19 any person or governmental subdivision desiring or planning to  
20 construct or establish an airport must obtain a certificate  
21 of site approval prior to acquiring the site or prior to the  
22 construction or establishment of the airport; the requirement  
23 that the DOT charge a reasonable site safety inspection fee for  
24 the issuance of a certificate of site approval; the requirement  
25 that the DOT investigate whether the site is adequate for the  
26 proposed airport, whether such proposed airport will conform  
27 to minimum standards of safety, and whether safe air traffic  
28 patterns are established for the proposed airport and safely  
29 coordinated; provisions governing when a certificate of site  
30 approval remains in effect; a prohibition against requiring a  
31 certificate of site approval for an existing airport; and an  
32 authorization for the DOT to hold a related hearing.

33       The bill makes miscellaneous organizational and language  
34 changes to enhance readability and conform to current style.